IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 30TH JULY 2007 / 8TH SRAVANA 1929

Bail Appl..No. 4576 of 2007()

CRIME NO.111/07 OF THRIKKUNNAPUZHA POLICE STATION
CMP.3694/2007 of J.M.F.C., HARIPAD

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PETITIONERS : ACCUSED 1,2 & 7:

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1. SHAHUL HAMEED, S/O.MUHAMMEDKUNJU, CHELAPURATH HOUSE, WARD NO.4, KARTHIKAPPALLY PANCHAYAT, PUTHUKUNDAM MURI, KARTHIKAPPALLY VILLAGE.

2. NAJIM, S/O.SADIK, PANJIPURA, THEKKETHI VEEDU, WARD NO.KMC XXXIV, KAYAMKULAM MURI, KAYAMKULAM VILLAGE.

3. SIYAD, S/O.HASSANKUNNU, VADACHIRAYIL VEEDU, WARD NO.6, THRIKKUNNAPUZHA PANCHAYAT, PATHIYANKARA MURI, THRIKKUNNAPUZHA VILLAGE.

BY ADV. SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SRI.N.A.SHAFEEK

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REPRESENTING SUB INSPECTOR OF POLICE, THRIKKUNNAPUZHA POLICE STATION, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 4576 of 2007

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Dated this the 30th day of July, 2007

O R D E R

Application for regular bail. The petitioners are accused 1, 2 and 7 in a crime registered, inter alia, under Sections 308 and 326 I.P.C. The alleged incident took place on 16.6.2007. Dangerous weapons, including swords, were made use of to attack the defacto complainant. Political animosity is the alleged motive. Investigation is in progress. The petitioners were arrested and they continue in custody from 10.7.2007. The co-accused have not been arrested yet, submits the learned Prosecutor.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not raise any objection now on condition that it may be ensured that the petitioners do not interfere with the investigation and do not jeopardies the law and order situation in the locality and I am satisfied that the petitioners can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioners shall be released on bail on the following terms and conditions.

(a) The petitioners shall execute bonds for Rs.1,00,000/- (Rupees one lakh only) each with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) They shall make themselves available for interrogation before the Investigating Officer on all Mondays between 10 a.m. and 12 noon until further orders.

(c) The petitioners shall not enter the Sessions Division of Alleppey until further orders, except for the purpose of complying with condition No.(b) above.

(d) The petitioners shall within seven days from the date of their release furnish to the Investigating Officer the address of their place of residence outside the Sessions Division of Alleppey and shall continue to keep the Investigating Officer informed of change of address, if any.

(R. BASANT)
Judge

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